



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number: 355.2806-02

First named inventor: Sean Murphy

Application No.: 10/663,773

Art Unit: 3611

Filed: September 17, 2003

Examiner: Green, Brian K.

Title: Drinking Cup Identification System

Attention: Office of Petitions
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent & Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition Fee

☒ Small entity-fee \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status.

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response To Election Of Species Requirement.

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

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750.00 OP

B. The issue fee of \$____.00

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

3. Terminal Disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ ____ for a small entity (or \$ ____ for other than small entity) disclaiming the required period of time is enclosed herewith.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

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Rehoboth Beach, DE 19971
302-227-2364 (telephone)
302-227-5933 (facsimile)

May 2, 2005

- Enclosures: ☒ Fee Payment (Check # 5233 in the amount of \$750.00)
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

Deposit account Authorization

- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to:

Deposit Account Number: 50-1014

Deposit Account Name: Borsari & Associates


Peter A. Borsari


Date